IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO. 112 OF 2006
IN
WRIT PETITION NO. 4826 OF 2003

Shri Shrikant Haribhau Bedekar.] .. Appellant (Ori.Petitioner)

Versus

The Revdanda Coop. Urban Bank Ltd.] .. Respondent (Ori.Respondents)

Mr. S.A. Sawant for the appellant.

CORAM: R.M. LODHA &
A.S. BAGGA, JJ.

DATED: 13TH JUNE, 2006

P.C. :

. Heard Mr. S.A. Sawant, counsel for appellant.

2. The appellant was charge-sheeted for having remained unauthorisedly absent for 262 days in one year. In the disciplinary enquiry, the charge was proved. Looking to the delinquent's earlier conduct of remaining unauthorisedly absent for about 6 months and that the present charge of remaining unauthorisedly absent for 262 days in one year was established, the appellant was dismissed from service. In the Complaint of unfair labour practices filed by the appellant under Item 1(a),

(b), (d), (e), (f) & (g) of Schedule IV, the Labour Court held that the disciplinary enquiry was fair and proper and that the finding of misconduct was duly established and accordingly dismissed the Complaint. The Revision filed by the appellant before the Industrial Court under Section 44 of the Maharashtra Recognition of Trade Unions & Prevention of Unfair Labour Practices Act, 1971 came to be dismissed. The concurrent orders were not found fit for interference by the learned Single Judge in the Writ Petition filed by the appellant. We find no justifiable reason to take different view. No case for interference is made out.

3. Letter Patent Appeal is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[A.S. BAGGA, J.]